

Remarks

Applicants thank the Examiner for his careful consideration of the application.

Claims 9-16 and 17-23 are pending in the application.

Claim Rejections – 35 USC § 103

The Examiner rejected claims 9-10, 13-15, 20 and 22 under 35 USC § 103(a) as being unpatentable over Spicer et al. (US Patent No. 7,007,093) ("Spicer") in view of Harsch et al. (US Patent No. 7,088,698) ("Harsch"). Applicants respectfully traverse these rejections.

In claim 9, Applicants recite a method of accessing an internal network device on a protected network, where the network includes a security device. The method includes storing data addressed to the internal network device in an external proxy server and maintaining a proxy agent on the protected network. The proxy agent executes the steps of polling the external proxy server for data addressed to the internal network device, forwarding to the internal network device any data on the external proxy server and addressed to the internal network device, and forwarding to the external proxy server any data addressed to an external device in communication with the external proxy server. Polling includes connecting to the external proxy server to check for pending traffic, receiving a stream of spurious bytes from the external proxy server if there is nothing pending for the internal network device, and receiving data from the external proxy server when the external proxy server has received data from a client.

Claim 9 should be allowed as the Examiner has not established a prima facie case of obviousness. In order to sustain an obviousness rejection under 35 USC § 103(a), the Examiner must show that a combination of the cited references teach or suggest all the limitations of the claim being rejected. In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). The Examiner has failed to show that the combination of references teaches or suggests all the limitations of claim 9. Specifically, for example, the Examiner has not shown where either Spicer or Harsch discloses receiving a stream of spurious bytes from the external proxy server if there is nothing pending for the internal network device. The

Examiner asserts this limitation is disclosed by Harsch between line 54 of Column 4 and line 5 of Column 5. However, this passage appears to be concerned with the use of a "keep-alive" method that holds open a connection with a network device. In the keep-alive method, a client sends intermittent messages to a server to keep the connection between the two up on the server side. The intention is to signal the server so that the server does not close the connection. The keep-alive packet is understood by the server as sent for that purpose and discarded by a standing arrangement ('protocol'). In short, the goal of Harsch appears to be to stop the server itself from dropping the connection and the keep-alive method is an effective method for doing so. On the other hand, Applicants' claims are directed toward preventing an intervening security device from dropping the connection. Applicants do not use a keep-alive method, and instead use a stream of spurious bytes to keep a connection open. The keep-alive method and the use of spurious bytes are not the same. A security device may recognize the keep-alive protocol, detect the keep-alive messages, and close the connection. Applicants' claimed invention sends spurious bytes to prevent an intervening security device, which merely passes bytes on, from concluding that the connection is stale. Spurious bytes are not understood by the security device and are mistaken by it for real data. Further, keep-alive packets are explicitly intermittent packets that are sent versus a steady stream of bytes. Harsch does not appear to mention anything analogous to the stream of bytes as described and claimed by Applicants. For the foregoing reasons, the Examiner's rejection should be withdrawn and claim 9 should be allowed.

Claims 10, 13 – 15, 20, and 22 should be allowed if claim 9 is allowed as claims 10, 13 – 15, 20, and 22 depend from claim 9.

The Examiner rejected claims 11-12, 16, 18 – 21, and 23 under 35 USC § 103(a) as being unpatentable over Spicer in view of Harsch and further in view of Grantges Jr. et al. (US Patent No. 6,510,464) ("Grantges"). Applicants respectfully traverse these rejections. Claims 11, 12, 16, 18 – 21, and 23 all depend from claim 9. Applicants have already argued that the disclosure of Harsch does not disclose the use of "spurious bytes" to keep a connection open. As the Examiner has not identified this limitation in Grantges either, the Examiner has not established that the combination of Spicer, Harsch, and Grantges includes

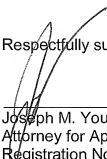
all the limitations of claim 9. Therefore, claims 11, 12, 16, 18 – 21, and 23 should be allowed if claim 9 is allowed as claims 11, 12, 16, 18 – 21, and 23 depend from claim 9.

Conclusion

No additional fee is believed to be required for this amendment. However, the undersigned Xerox Corporation attorney hereby authorizes the charging of any necessary fees, other than the issue fee, to Xerox Corporation Deposit Account No. 24-0025. This also constitutes a request for any needed extension of time and authorization to charge all fees therefor to Xerox Corporation Deposit Account No. 24-0025.

A telephone interview is respectfully requested at the number listed below prior to any further Office Action, i.e., if the Examiner has any remaining questions or issues to address after this paper. The undersigned will be happy to discuss any further Examiner-proposed amendments as may be appropriate.

Respectfully submitted,



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JMY/rjh